

**CITY OF CLEWISTON  
Regular Commission Meeting  
December 15, 2014**

The City of Clewiston City Commission held its regular Commission meeting in the City Hall Commission Chambers Monday, December 15, 2014. The meeting was called to order at 5:10 p.m. by Mayor Phillip Roland.

**Commissioners Present:** Mayor Phillip Roland, Commissioner Mali Gardner, Commissioner Kristine Petersen, Commissioner Julio Rodriguez, and Commissioner Sherida Ridgill.

**Personnel Present:** City Manager Al Perry, Finance Director Ted Byrd, City Clerk Marilyn McCorvey, Library Director Ava Barrett, Police Chief Don Gutshall, Community Development Director Travis Reese, Recreation Director Lance Ramer, Public Works Director Sean Scheffler, Utilities Director Danny Williams, and City Attorney Charles Schoech.

**Visitors Present:** Asa & Betty Godsey, Jim LaRue, Karen Moore, Bill Sikes, and Steven Stewart.

**ADDITIONS/DELETIONS/CHANGES AND APPROVAL OF THE AGENDA** – City Manager Perry asked that Commission board appointments be added to the agenda as item 7-A. The Commission agreed.

**RECOGNITION OF 2014 EMPLOYEES OF THE YEAR – 2014 City of Clewiston Employees of the Year were introduced: Police Department, Demetrius Scruggs; Public Works, Lee Marvin; Utilities, Anne Vaughn; City Wide, Napoleon Key, and Director of the Year, Ava Barrett.**

**1. Consent Agenda**

- A. *City Commission Workshop Minutes – November 12, 2014*
- B. *City Commission Meeting Minutes – November 17, 2014*
- C. *Approval of 2015 Commission Meeting Schedule*
- D. *Acknowledgement of Identity Theft Prevention Program Report*
- E. *Declaration of Surplus Equipment*
- F. *Reappointment of Dr. Laura Jones to Clewiston Library Advisory Board*
- G. *Reappointment of Tena Harris, Sylvester Humphrey, and Dr. Laura Jones to the Hendry County Library Cooperative Board.*
- H. *Approval of Agreement with Sekure Merchant Solutions for Credit Card Processing*

The Commission discussed whether they should allow commissioners to phone in to a meeting and have voting privileges. Commissioner Petersen stated we can limit how many times per year the call-ins would be allowed.

The Commission discussed the 2015 Commission Meeting Schedule, in particular the January meeting schedule. After discussion, the Commission left the schedule as presented.

**Commissioner Rodriguez made a motion, seconded by Commissioner Gardner, to disallow Commissioners to attend meetings and vote on agenda items by phone. Commissioner Gardner withdrew her second.**

**Commissioner Gardner made a motion, seconded by Commissioner Rodriguez, to allow Commissioners to attend a meeting by phone and vote on agenda items once per calendar year. Vote 5 yeas, 0 nays.**

Commissioner Gardner questioned Finance Director Byrd as to whether he had looked into other possibilities for the credit card processing. Mr. Byrd stated he did not, but SeKure would save the City approximately \$1,000 per year. Commissioner Gardner asked that Item H under the Consent Agenda be tabled until the January Commission meeting.

**Commissioner Gardner made a motion, seconded by Commissioner Petersen, to approve the Consent Agenda, with the exception of Item H, Sekure agreement which was tabled until January. Vote 5 yeas, 0 nays.**

**PUBLIC HEARING**

2. The Planning & Zoning Board met and discussed the Comprehensive Plan and Water Supply Plan Amendments and recommended moving forward with the adoption of the amendments. This public hearing will accept input from the citizens and Commission members for possible changes to the amendments. Mayor Roland stated the purpose of the public hearing is to discuss and accept input from all interested parties relative to the Comprehensive Plan and Water Supply Plan Amendments. City Manager Perry stated the official notice of the public hearing was advertised in the Clewiston News on November 27, 2014. Mr. Jim LaRue of LaRue Planning & Management Services came forward to speak. Mr. LaRue stated that at the workshop he understood the Commission thought it would be advantageous to have a downtown commercial area and a US27 commercial corridor. The Commission discussed the density outlines in Policy 1.1.6 and Mr. LaRue stated that the zoning could be more restrictive if the Commission wanted. Mayor Roland closed the public hearing.

**Commissioner Ridgill made a motion, seconded by Commissioner Rodriguez, to submit the complete Comprehensive Plan Amendments, (incorporating the changes in the memo dated December 15, 2014 from LaRue Planning and Management Services), including the Water Supply Plan, to the State for approval. Vote 5 yeas, 0 nays.**

**MISCELLANEOUS ACTION AND DISCUSSION ITEMS**

3. **Lien Reduction Request (1) – John Payne** – This item was tabled at the November 17, 2014 meeting. Mr. Payne purchased the property at 340 W. El Paso in June, 2014. One non-code enforcement case existed on the property at the time of purchase. The total sewer project lien on Mr. Payne's property at 340 W. El Paso is in the amount of \$37,688.37; principal in the amount of \$3,550.40, interest in the amount of \$13,799.23, and penalty of \$20,338.74. Mr. Payne purchased the property and was not aware the lien existed.

**Commissioner Gardner made a motion, seconded by Commissioner Petersen, to deny the lien reduction request. Vote 5 yeas, 0 nays.**

4. **Lien Reduction Request (2) – John Payne** – This item was tabled at the November 17, 2014 meeting. Mr. Payne purchased the property at 340 W. El Paso in June, 2014. Two Code Violation cases existed on the property at the time of purchase: Case # 11-0433, a violation for property maintenance which currently totals \$19,725; Case #13-0055, a violation for overgrowth/landscaping which currently totals \$11,575. Mr. Payne was unaware of the violations on the property when he purchased it. Both cases were found to be in compliance and closed on June 21, 2014 as Mr. Payne brought the property into compliance immediately after purchasing. Mr. Payne's case was heard by Special Magistrate Watt on October 15, 2014. Mr. Watt dismissed the case and turned the case over to the City Commission for disposition. In addition, Mr. Payne's property also has mowing liens in the amount of \$2,128.20; principal in the amount of \$1,539.35, and interest in the amount of \$588.85.

**Commissioner Gardner made a motion, seconded by Commissioner Petersen, to deny the lien reduction request. Vote 5 yeas, 0 nays.**

5. **American Traffic Solutions Amendment to Professional Services Agreement and Red Light Contract Discussion** – The Commission asked that this item be added to the December agenda for discussion. City Attorney Schoech stated he spoke to the City Attorney for West Palm Beach, and they have not terminated their agreement with ATS because they do not have the ability to do so, but they have suspended the issuance of any violations. He stated the City of WPB has received a letter of noncompliance from ATS and has entered into negotiations. Mr. Schoech stated the City of WPB chose not to sign the ATS addendum, but continue to talk with ATS to try to resolve the matter. Mr. Schoech stated he does not believe we can terminate the contract at this point, but we can give them the 120 day notice to send a message to ATS that we do not intend to extend their contract. Commissioner Ridgill stated she has a problem with the wording of the addendum and does not recommend signing it as long as the court case is pending.

**Commissioner Gardner made a motion, seconded by Commissioner Petersen, to reject the ATS second Amendment and authorize the City Attorney and City Manager to negotiate with ATS a suitable solution. Vote 5 yeas, 0 nays.**

**Commissioner Ridgill made a motion, seconded by Commissioner Rodriguez, to issue ATS the 120 day notice of contract termination. Vote 5 yeas, 0 nays.**

- 6. Pension Plan Contribution Discussion** - At the November meeting, Gloria Rosen made a presentation on our Pension plan with Securian. According to the Actuarial Report, the contribution requirement for this year is \$75,515. There is also an unfunded liability balance of \$51,445. If we paid the required contribution and the unfunded liability, the total would be \$126,960. \$230,000 was budgeted for this contribution for 2014-15.

**Commissioner Gardner made a motion, seconded by Commissioner Rodriguez, to fund the pension plan in the amount of \$126,960, and retain the remaining funds in the pension reserve account, unless otherwise approved by the Commission. Vote 5 yeas, 0 nays.**

- 7. Scott Martin Challenge Funding** - Scott Martin talked to the Commission about again funding the Scott Martin Challenge for the coming year at the November Commission meeting. Mr. Martin stated the price would be \$20,000. The Commission discussed the exposure and marketing that the Scott Martin Challenge presented to the City. Commissioner Rodriguez stated he respects Mr. Martin, but believes the City needs a better product to market and the City might better spend the money by ramping up code enforcement. Commissioner Gardner stated we have to market the Lake and start telling a better story and being on nationwide television is a step in the right direction. Commissioner Ridgill agreed there are some code enforcement issues, but believes the marketing plan Mr. Martin is offering is relevant.

**Commissioner Ridgill made a motion, seconded by Commissioner Gardner, to approve funding the Scott Martin Challenge in the amount of \$20,000. Vote 4 yeas, 1 nay. (Commissioner Rodriguez voted nay)**

- 7A. Commission Board Appointments** – Commissioner Gardner stated she asked for the list of appointments and she wanted to be sure as the Commission reorganized, Commissioners were given a chance to participate on boards they had particular interest in. The Commission discussed the boards they would be interested in serving on.

**Commissioner Gardner made a motion, seconded by Commissioner Petersen, to make the following board appointments: Southwest Florida Regional Planning Council, Commissioner Ridgill; Tourist Development Council, Commissioner Gardner; FMPA Board, Commissioner Petersen; Hendry-Clewiston Recreation Board, Mayor Roland and Commissioner Rodriguez; Industrial Development Authority Board, Mayor Roland; and Clewiston Drainage District, Mayor Roland. Vote 5 yeas, 0 nays. (We have since been informed that the Clewiston Drainage District is not a Commission appointment)**

- 8. Departmental Monthly Activity Reports - Presented for information only.**

**PUBLIC COMMENTS** - At this time, any person will be allowed to speak on any matter that pertains to City business.

**COMMENTS FROM CITY MANAGER** – City Manager Perry stated we have not heard from DEO regarding the Commerce Park grant closure. Mr. Perry stated it is his intention to start presenting department fee structures to the Commission in January. City Manager Perry congratulated Public Works Director Scheffler on his years of service to the City.

**COMMENTS FROM THE CITY ATTORNEY - none**

**COMMENTS FROM THE CITY COMMISSION** – Commissioner Gardner wished everyone a Merry Christmas and Happy New year and stated she is looking forward to setting new goals for the City. Commissioner Gardner congratulated Alvin Freeman on his retirement from the City after 26 years. Commissioner Ridgdill stated she has a concern about the City’s liens and the bad debts in the Utilities Department. Commissioner Ridgdill stated there are three large fishing tournaments coming in January, one with 250 boats, which will require a City-wide effort. Commissioner Ridgdill thanked everyone who helped with the employee luncheon and stated the ACFC Winter Wonderland was an excellent event. She further thanked City employees for stepping up on their off time to help the City. Mayor Roland stated he wanted a report on the Commerce Park from beginning to end, including how much money has been spent, and how much money we owe. Mayor Roland stated he goes to SFWMD meetings on an average of twice per month, and does not charge the City for travel because it is his passion. Mayor Roland stated he would like to have a Town Hall meeting in February, and then one each quarter, to have the people of Clewiston participate.

**ADJOURNMENT**

The meeting was adjourned at 7:30 p.m.

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Phillip Roland, Mayor

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Marilyn McCorvey, City Clerk